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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/558,378

Applicant(s)

PEDERSEN ET AL.

Examiner

Michael S. A. Delgado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/30/03, 4/3/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's arguments filed 4/23/04 have been fully considered but they are not persuasive. In response to the argument that the asynchronously push feature is not taught by the prior art. In Rossmann invention, a microcontroller 128 is used to start a session between a server and mobile phone 120. After the session is established, a deck is downloaded from the server to RAM 134 that is located on the mobile phone. This action takes place without a browser request. This is a push operation and being that it occurs without a browser request the operation is asynchronous as claimed Col 6, lines 10-30) (Fig 2).

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No 6,119,155 by Rossmann et al.

In claim 1, Rossmann teaches about a mobile communication terminal for providing an application using a browser said terminal comprising (Col 3, lines 1-5):

a transceiver arranged to send radio packets to and receive radio packets from a server;  
(Fig 2, Radio)

a browser for displaying content (Fig 4A), said browser arranged to initiate an application by accessing a first item associated with the application using a first content identifier (selecting the soft key), the application being provided by the combination of the first item and further

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items each of which is accessible using an individual content identifier (card deck), and each of which comprises content or means for linking to content; and (Col 9, lines 60-67), (Col 10, lines 60-67); and

a memory "RAM 134" for storing items received from the server locally in the terminal for access by the browser using the individual content identifiers of the respective items, wherein (Col 6, lines 20-48):

accessing an item involves attempting to read the item from the memory and then, if unsuccessful, requesting transfer of the item from the server by sending a radio packet containing the appropriate content identifier of the requested items (Col 8, lines 60-67);

the terminal is arranged to store in the memory, for access by the browser, items pulled from the server in response to requests for transfer and items pushed asynchronously from the server without having been requested by the browser (Col 6, lines 20-48) (Col 8, lines 60-67).

For claim 2, Rossmann teaches about a terminal as claimed in claim 1, wherein the first item includes identifying means for identifying to the browser the content identifiers of the further items, and link means for linking to the further items using their individual content identifiers (Col 6, lines 35-48).

In claim 3, Rossmann teaches about a terminal as claimed in claim 2, wherein the first item further includes transfer means for transferring the further items from the server to the terminal for storage in the memory in the terminal where the further items may be accessed using the respective individual content identifiers of the further items (Col 6, lines 40-48).

For claim 4, Rossmann teaches about a terminal as claimed in claim 1, wherein:

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the terminal further comprises a user interface connected to the browser and having a display for displaying content and user input means (Col 6, lines 30-40), and

the first item additionally has link means for providing a visual indication of links on the display and for providing for user activation of each displayed link (Col 6, lines 30-40).

In claim 5, Rossmann teaches about a terminal as claimed in claim 1, wherein each content identifier is a URL (Col 6, lines 30-35).

For claim 6, Rossmann teaches about a terminal as claimed in claim 3, wherein the transfer means transfers only items which are not already stored in the memory (Col 6, lines 40-48).

In claim 7, Rossmann teaches about a terminal as claimed in claim 3, wherein on transfer of the first item to the terminal the identifying means, link means and transfer means are activatable to establish a hierarchy of items (Fig 5).

For claim 8, Rossmann teaches about a terminal as claimed in claim 7, wherein the identifying means, link means and transfer means are activated automatically when the first item is transferred (Fig 4) (Col 6, lines 20-48).

In claim 9, Rossmann teaches about a terminal as claimed in claim 1, wherein:  
communication between the terminal and the server is in accordance with the Wireless Application Protocol (Col 5, lines 30-50); and

the first item is a deck and the further items are either cards or decks (Col 6, lines 40-50).

For claim 10, Rossmann teaches about a terminal as claimed in claim 1, wherein the terminal includes arbitration means for determining whether an item received from the server is

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in reply to an access by the browser and should be directed to the browser and subsequently stored in the memory, or is not in reply to an access by the browser and should be stored directly in the memory (Col 6, lines 30-35) (Col 13, lines 55-67). In caching, the requested information (card) and related information (other card within the same deck) are moved closer to the client. To be able to display the requested card from a deck of cards, there as to be a function that determine that despite being present with a deck of cards only this one particular card is to be display base on the user request.

In claim 11, Rossmann teaches about a terminal as claimed in claim 10, wherein the arbitration means makes the determination on the basis of an identifier provided by the server (Col 6, lines 40-48).

For claim 12, Rossmann teaches about a terminal as claimed in claim 11, wherein the browser, after receiving content from the arbitration means stores the content in a memory (Col 6, lines 20-30).

In claim 13, Rossmann teaches about a terminal as claimed in claim 12, wherein the memory is unpartitioned (Col 6, lines 25-35).

For claim 14, Rossmann teaches about a system comprising a server and a terminal as claimed in claim 2, wherein the application may be updated by updating the identifying means and the link means of the first item in the server and transferring the updated first item to the terminal (Col 11, lines 35-45).

In claim 15, Rossmann teaches about a system comprising a server and a terminal as claimed in claim 1, wherein the application may be updated by updating the content of further

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items in the server and transferring the updated further items to the terminal (Col 11, lines 35-45).

For claim 16, Rossmann teaches about a system comprising a server and a terminal as claimed in claim 1 wherein on the first activation of the application all items associated with the application are transferred from the server to the terminal (Col 6, lines 20-48).

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US patent No. 6,473,609 By Schwartz et al teaches about a method and architecture for interactive two-way communication devices to interact with a network.

US patent No. 6,414,962 By Hall et al teaches about a method and apparatus for caching location information of transmitting mobile stations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925


The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MD



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